



Know All Men By These Presents,

Ref. *68-9*
82-05-1
That LYLE M. CUTCHIN and INGEBORG E. CUTCHIN, as Co-Trustees of the Lyle M. Cutchin and Ingeborg E. Cutchin Trust, 2688 Coconut Drive, Sanibel, Florida, and LYLE M. CUTCHIN individually, formerly of Waterville, Kennebec County, Maine, and now of 2688 Coconut Drive, Sanibel, Florida,

in consideration of one dollar and other valuable consideration

006457

NO TRANSFER
TAX PAID

paid by C & N ENTERPRISES, a Partnership organized by law and having a place of business in Fairfield, Somerset County, Maine,

the receipt whereof we *do hereby acknowledge, do hereby remise, release, bargain,*

sell and convey, and forever quit-claim unto the said C & N ENTERPRISES, its

successors ~~xxix~~ and assigns forever.

A right of way and easement in common with Grantors, their heirs, successors, assigns, and others and for the benefit of Grantors and Grantee, the heirs, successors and assigns of each, and for the benefit of the public until such time as it may become a public street, for all purposes of street travel and use over a parcel of land in Waterville, Kennebec County, Maine, bounded and described as follows:

Beginning at an iron pin located at the Southeasterly corner of land now or formerly of Kenmore Realty Corporation as recorded in the Kennebec County Registry of Deeds in Book 2260, Page 14, and shown as the Southeast corner of lot number 11 of a plan entitled "Waterville Industrial Park" by A. E. Hodsdon dated June 1980 and recorded in the Kennebec County Registry of Deeds in File No. E-80193; thence North forty-nine degrees eight minutes East (N 49 degrees 08' E) one hundred thirty-nine and six-tenths feet (139.6') to an iron pin; thence North forty-five degrees forty-one minutes East (N 45 degrees 41' E) along the line of land now or formerly of Mascester Company, Inc. as recorded in the Kennebec County Registry of Deeds Book 3289, Page 180 for three hundred twelve and four-tenths feet (312.4') to an iron pin; thence North thirty-nine degrees fifty-one minutes East (N 39 degrees 51' E) along the line of land now or formerly of Mascester Company, Inc. sixty-eight and four-tenths feet (68.4') to an iron pin; thence North thirty-three degrees thirty-three minutes East (N 33 degrees 33' E) along the line of land now or formerly of Mascester Company, Inc. four hundred fifty-three and one-tenth feet (453.1') to an iron pin located at the Northeasterly corner of land now or formerly of Mascester Company, Inc.; thence North thirty-three degrees thirty-three minutes East (N 33 degrees 33' E) along the land of the herein grantor for five hundred twenty-three and six-tenths feet (523.6') to an iron pin located on the Southerly line of land now or formerly of C & N Enterprises as recorded in the Kennebec County Registry of Deeds in Book 2848, Page 63; thence South seventy-nine degrees eleven-minutes East (S 79 degrees 11' E) along land now or formerly of C & N Enterprises seventy-one and six-tenths feet (71.6') to an iron pin; thence South thirty-three degrees thirty-three minutes West (S 33 degrees 33' W) along the land of the Grantor five hundred fifty-one and two-tenths feet (551.2') to an iron pin; thence South thirty-three degrees thirty-three minutes West (S 33 degrees 33' W) along land of the Grantor four hundred fifty-six and seven-tenths feet (456.7') to an iron pin; thence South thirty-nine degrees fifty-one minute West (S 39 degrees 51' W) along the land of the Grantor for seventy-five and four-tenths feet (75.4') to an iron pin; thence South forty-five degrees forty-one minutes West (S 45 degrees 41' W) along land of the Grantor three hundred seventeen and seven-tenths feet (317.7') to an iron pin, thence South forty-nine degrees eight minutes West (S 49 degrees 08' W) along land of the Grantor eighty-seven and eight-tenths feet (87.8') to

an iron pin on the Southeasterly extension of the Industrial Park Road and the Northeasterly corner of land now or formerly of Dicenso Realty Incorporated, as recorded in the Kennebec County Registry of Deeds in Book 1594, Page 98; thence South forty-nine degrees eight minutes West (S 49 degrees 08' W) along the Northwesternly line of Dicenso Realty Incorporated and the extension of the Southeasterly line of the Industrial Park Road fifty-three and six-tenths feet (53.6') to an iron pin located at the terminus of the Industrial Park Road; thence North forty-one degrees zero minutes West (N 41 degrees 00' W) along the terminus of the Industrial Park Road sixty-six and zero-tenths feet (66.0') to an iron pin and the point of beginning.

Said easement shall be for all purposes for which public ways, streets and highways may now or hereafter be used in the City of Waterville and in the State of Maine, including but not limited to installation, use, repair, restoration and replacement of pipes, wires, poles, conduits and appurtenances for drainage, sewer, water, gas, electricity, telephone and other utilities which may become available, for the use therein, thereon, or thereover and also including use, repair, restoration and replacement of like services installed for common use by Grantors or others, and also including the construction, use and repair of a roadway with pavement. In the event, Grantors or Grantee, the heirs, successors and assigns of either, construct a road along said right of way, and each shall have the right, it shall be constructed in such a manner as to meet City of Waterville requirements for acceptance as a street; Grantors and Grantee, the successors and assigns of each, may improve or may otherwise add to and further improve any road constructed there by anyone else so long as they meet the said City of Waterville requirements for a street. This right of way and easement here conveyed shall run until such time as said 66 foot strip has been conveyed to and has been accepted by the City for use as a city street, and nothing herein shall prevent the transfer of said parcel to the City of Waterville free of this right of way and easement when accepted by the City as a city street. Grantees, their heirs, successors and assigns, may freely assign in common rights to use this right of way and easement for all purposes for which it exists, including both for road use and utility use.

Excepting and reserving rights conveyed by Lyle M. Cutchin to Kennebec Water District by deed dated October 2, 1981, and recorded in the Kennebec County Registry of Deeds, Book 2773, Page 332.

The land where said right of way is located is part of the property conveyed to Lyle M. Cutchin by the Waterville Area Industrial Development Corporation by deed dated July 6, 1976 and recorded in the Kennebec County Registry of Deeds in Book 1923 at Page 69, and a part of land conveyed to Lyle M. Cutchin by James Merrick by deed dated October 19, 1973 and recorded in Book 1684, Page 230 of said Registry. Said land was conveyed by Lyle M. Cutchin to Lyle M. Cutchin and Ingeborg E. Cutchin, as Co-Trustees of the Lyle M. Cutchin and Ingeborg E. Cutchin Trust by deed dated August 25, 1987 and recorded in Kennebec County Registry of Deeds, Book 3219, Page 328. The Westerly portion of said land was conveyed to Mascester Company, Inc. by deed of Lyle M. Cutchin, individually and as Co-Trustee of Lyle M. Cutchin and Ingeborg E. Cutchin Trust and Ingeborg E. Cutchin as Co-Trustee of Lyle M. Cutchin and Ingeborg E. Cutchin Trust dated December 23, 1987 and recorded in Kennebec County Registry of Deeds, Book 3289, Page 180.

See also deed of Lyle M. Cutchin to C & N Enterprises dated August 25, 1987 and recorded in Kennebec County Registry of Deeds, Book 3219, Page 327. The purpose of this deed is to clarify the intent of that deed and slightly correct the location of the right of way described therein.

C & N ENTERPRISES, its successors

In Witness Whereof,

ATTEST: *[Signature]*
REGISTER OF DEEDS